

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

**ADAM SALINAS TREVINO,
DANIEL LEE WALKER, and
CLEO JO WALKER,**

Defendants.

8:05CR163

ORDER

Following a telephonic hearing on the Motion to Continue Trial (#121) filed by Cleo Jo Walker, I find that the motion should be granted and trial continued to December 6, 2005.

IT IS ORDERED that defendant's Motion to Continue Trial (#121) is granted, as follows:

1. Trial of this matter is continued to **December 6, 2005**.
2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **November 1, 2005 and December 6, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reasons stated in defendant's motion, and considering the due diligence of counsel. Failure to deny this motion might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

DATED October 27, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge